

# UAC INSURANCE MUTUAL

## *Board of Trustees Meeting*

Thursday, February 13, 1997, 1:00 p.m.

UAC Offices

4021 South 700 East, Suite 180, Salt Lake City

*A G E N D A*

---

1:00 L U N C H P R O V I D E D

Call to Order	Gary Herbert
Review of Board Members Absent	Gary Herbert
Approval of January 23, 1997, Minutes	Gary Herbert
Risk Management Program Amendments	Brett Rich
Director's Report	Brett Rich
Summary of Loss Prevention Activities	David Nelson
Broker's Report	Rich Stokluska John Chino
Insurance of Unscheduled Property	Brett Rich
April Membership Meeting Agenda	Board of Trustees
Set Date and Time for Closed Meeting to Discuss Pending or Reasonably Imminent Litigation	
Set Date and Time for Closed Meeting to Discuss the Character, Professional Competence, or Physical or Mental Health of an Individual	
4:00 Adjourn	

4021 South 700 East, Suite 180  
Salt Lake City, Utah 84107



# UACIM BOARD OF TRUSTEES MEETING

M I N U T E S

February 13, 1997, 1:00 p.m., UAC Offices, Salt Lake City

## Board Members Present:

Gary Herbert, *President*, Utah County Commissioner  
Gerald Hess, *Vice President*, Davis County Deputy Attorney  
Monte Munns, *Secretary*, Box Elder County Assessor-Treasurer  
Sid Groll, *Comptroller*, Cache County Sheriff  
Curtis Dastrup, Duchesne County Commissioner  
Tony Dearden, Millard County Commissioner  
Ty Lewis, San Juan County Commissioner  
Sarah Ann Skanchy, Cache County Council Member

## Board Members Absent:

Gary Sullivan, Beaver County Commissioner

## Others Present:

Brett Rich, Director, UACIM  
Sonya White, UACIM Administrative Assistant  
David Nelson, UACIM Loss Prevention Manager  
Doug Alexander, McLaren's Toplis Claims Manager  
Rich Stokluska, GRMS Account Executive

## CALL TO ORDER

Gary Herbert requested that Gerald Hess chair this meeting until his arrival. Gerald called the meeting to order.

## REVIEW OF BOARD MEMBERS ABSENT

Gary Sullivan was absent from this meeting. The Board would like an explanation from Gary at the next meeting.

## APPROVAL OF January 23, 1997, MINUTES

The minutes from the Board of Trustees meeting were previously sent to the Board Members for review. Brett Rich requested the following correction under DIRECTORS REPORT DIC Coverage to read: *Therefore, only one two of the three undecided counties need to purchase the additional coverage to reach that minimum amount. Brett noted that one of the member counties received a quote from an independent agent in the amount of \$20,000 for the same limit of coverage for that county only. Because of the buying power UACIM has now with GRMS, we can offer this additional coverage for ten-times-less, at a substantially reduced cost.* Ty Lewis made a motion to approve the minutes as corrected. Sarah Ann Skanchy seconded the motion and the motion passed unanimously.

## RISK MANAGEMENT PROGRAM AMENDMENTS

Pursuant to the January 23, Board meeting, Brett Rich explained that he reviewed the proposed changes to §4.1, 4.2 and 4.6, of the Risk Management Program with Steve Baker, Chairperson of the Personnel Committee. In §4.1, the Committee recommends that a hearing be changes to an interview. In §4.2, the Committee made recommendations and the Board corrected the following: All official files must be under the exclusive control of the department head, personnel officer, or chief administrative officer if the county has a personnel officer, or, if no personnel officer exists, then the governing body or its designee. Copies of the files may be held by department heads. In §4.6, the Committee recommended the addition of ...information that is available, or distributed to all employees. Sid Groll made a motion to adopt the changes as recommended to §4.1, 4.2 and 4.6. Monte Munns seconded the motion and the motion passed unanimously.

## DIRECTOR'S REPORT

Training Brett Rich reported that the loss prevention department is concentrating on training in specific areas this year. He is in the process of interviewing instructors in the area of law enforcement for training at the annual Sheriff's Association meetings in November. UACIM will sponsor this training as well as pursuit training (classroom & course) and jail procedures training this year. Other training being scheduled is in the area of wrongful termination and personnel procedures.



Excess Recoverable Brett reported that the last payment received from AIG was in June 1996. Approximately \$60,000 is still owing for 1992 and UACIM is now into 1993 recoverable. Doug Alexander has written a letter to AIG requesting payment and Brett is in the process of drafting a letter in behalf of UACIM to collect. AIG is UACIM's carrier for 1992-1996, therefore a good relationship needs to continue. Jim Herring of AJG&Co. has a good relationship with AIG and may be influential in our behalf.

Squire & Company Brett reported that Ray Bartholomew and Risa Cox have been working in the UACIM offices updating and transferring the financial information from Aon. They indicate the annual yellow blank will be complete in the next two weeks.

Membership Agreement Brett explained that he and John Chino have been working on a membership agreement to take the place of the one page certificate of participation for the members. This agreement needs to be approved before the next Board meeting in order to file the agreement with the Insurance Department, therefore, a telephonic conference will be scheduled. The Board received a draft copy of the agreement to review prior to the telephonic conference.

Charts Brett prepared total incurred comparison charts at 11 months and 25 months for review

Gary Herbert conducted the remainder of the meeting. He read aloud a thank you letter, sent to the UACIM Board and staff, for the gift of appreciation he received.

#### SUMMARY OF LOSS PREVENTION ACTIVITIES

Uintah County David Nelson reported that during his risk review in Uintah County he was told that the County has exempted their public safety employees from wearing safety restraints because these employees are in and out of their vehicles frequently. The law states there are exemptions for pickup and delivery or service operations who stop and start frequently. Sid Groll would like David and/or Brett to attend the Sheriff's Association meeting next week to comment on this matter.

Duchesne County David reported that the County now has a sexual harassment policy in place and he will be conducting five sexual harassment training sessions in Duchesne County on February 18, 1997.

Piute County David participated in a walk-through inspection of Piute County's new courthouse. He found some serious concerns, one of which is only one exit out of the courtroom—fire code requires two. David has sent his recommendations to the county commission chairperson. The Board directed David to write a letter to the State Fire Marshall regarding the building inspector who has approved a facility that is not up to code.

Washington County David has been working with the county for compliance in their policies and procedures to the new CDL drug testing policy. The County is looking into joining a regional consortium.

ADA Title II Grant Committee David is a member of this Committee who has scheduled training "Managing the Mandate" for June 5, 1997. All elected officials will receive information to attend.

Training David met with Utah County Sheriff David Batement for his input on training in the area of law enforcement. Sheriff Batement has many good ideas and direction and has offered the Utah County facilities to conduct training. Sid Groll has a sample pursuit policy which he will copy for David and suggested that he contact Ike Ore of POST and request their policy and training documentation.

Boiler & Machinery Policy David reported that he will be managing the inspection reports from Kemper National Insurance Company. Bruce Johner has contacted Brett and explained that he will be out in the counties doing random inspections and will report to UACIM when he finds any concerns or problems.

#### BROKER'S REPORT

Rich Stokulska did not have any new information to report on since the last meeting.

#### INSURANCE OF UNSCHEDULED PROPERTY

Brett Rich explained that UACIM recently had a total fire loss of a county owned building. Brett was concerned to find that the building was not listed on the county's property schedule. The county has now identified the property on the schedule but the description and the value of the property is incorrect. At the request of UACIM, appraisals for all county owned properties were completed by the county assessors in 1994. Brett recommended that new appraisals must be completed for the upcoming 1998 renewal due by July 1997. Brett will address this issue at the Assessor's



Association meeting scheduled for April 9, 1997. Ty Lewis made a motion to request in writing that all member counties use the Marshall & Swift software to appraise all county owned properties at replacement cost to be included on the renewal property schedule and that the insurance coordinator will endorse the schedule for accuracy. If the properties are not scheduled they are not covered. Curtis Dastrup seconded the motion and the motion passed unanimously. Sarah Ann Skanchy made a motion to amend the previous motion to include either the use of Marshall & Swift or a comparable costing service. Monte Munns seconded the motion and the motion passed unanimously. The Board directed David Nelson to spot-check properties for description and value accuracy possibly using Marshall & Swift software. The Board directed Brett to make a recommendation at the next meeting whether or not UACIM should purchase this software.

#### APRIL MEMBERSHIP MEETING AGENDA

The Board prepared the agenda items for the upcoming Membership Meeting scheduled for April 9, 1997, 4:00-6:00 p.m. at the Provo Park Hotel.

#### SET DATE AND TIME FOR CLOSED MEETING

Monte Munns made a motion to set the date and time for a closed meeting to begin at 3:25 p.m. on February 13, 1997, to discuss pending or reasonably imminent litigation. Gerald Hess seconded the motion and the motion passed unanimously.

Ty Lewis made a motion to conclude the closed meeting at 3:47 p.m. on February 13, 1997. Sid Groll seconded the motion and the motion passed unanimously.

#### SET DATE AND TIME FOR CLOSED MEETING

Gerald Hess made a motion to set the date and time for a closed meeting to begin at 3:47 p.m. on February 13, 1997, to discuss the character, professional competence, or physical or mental health of an individual. Curtis Dastrup seconded the motion and the motion passed unanimously.

Monte Munns made a motion to conclude the closed meeting at 4:00 p.m. on February 13, 1997. Gerald Hess seconded the motion and the motion passed unanimously.

#### OTHER BUSINESS

The next meeting of the Board of Trustees will be held March 13, 1997, in the UAC offices.





# LOSS PREVENTION REPORT

By: David L. Nelson, Loss Prevention Manager

Utah Association of Counties Insurance Mutual  
Board of Trustees Meeting, February 13, 1997

## RISK REVIEWS:

### Uintah County

On January 29, 1997, I met with Jerry Golins (UACIM coordinator) to discuss Uintah County's drug testing policy and procedures. It was determined that the county had taken measures to come into compliance with this law. In addition, a revelation was made that public safety driving personnel (sheriff's deputies) had been made exempt from the seat belt policy. See the risk review report.

### Duchesne County

On January 29, 1997, I met with Pat Barker (UACIM coordinator) to discuss Duchesne County's policy, or lack of, on sexual harassment. A policy has been adopted by the county. I will conduct training on the subject, Sexual Harassment Awareness, in the county on February 18, 1997.

### Piute County

I was invited by Valeen Brown (UACIM coordinator) to participate in the walk-through inspection of their new county courthouse. On February 3, 1997, that was accomplished. The inspecting group consisted of the architect, county officials and myself. An open house for the facility and occupancy itself will be taking place in the near future. See the risk review report.

### Washington County

On February 10, 1997, I met with the Washington County commission and elected officials in their monthly staff meeting. My subject matter was the need for employee (CDL's) random drug testing, as well as, the need for a drug testing policy in the county. Washington County was not in compliance to the law. See the risk review report.

## TRAINING:

None to report.

## MEETINGS:

On February 5, 1997, I met with other members of the ADA Title II grant committee. This committee is made up of representatives from state government, county government, city government, law offices, ULCT, Easter Seal Society and myself (UAC). June 5, 1997 has been identified as the date for the day long training "Managing the Mandate" taking place in Provo, at the Provo Park Hotel.

On February 6, 1997, I met with Sheriff David Bateman of Utah County. The purpose of the meeting being to get input from him regarding law enforcement procedural policy and pursuit driving training. Plans are in motion to provide this training to UACIM member county law enforcement agencies ASAP.

## CONSULTING:

None to report.

## OTHER:

Iron County Courthouse boiler inspection report.



## AFFIDAVIT OF GARY R. HERBERT

STATE OF UTAH                                 )  
  :ss  
COUNTY OF SALT LAKE                 )

Gary R. Herbert, being duly sworn upon oath, deposes and says:

1. That the affiant has personal knowledge of the matters hereinafter referred to in this Affidavit.

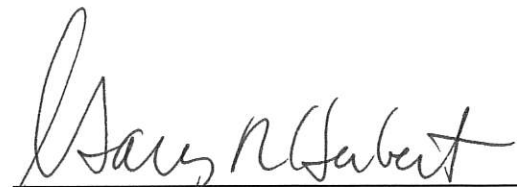
2. That the Affiant, on or about the 13 day of February, 1996<sup>97</sup>, presided over a meeting of the Utah Association of Counties Insurance Mutual Board of Trustees, an open and public meeting within the provisions of Chapter 4, Title 52, Utah Code Annotated, 1953, as amended.

3. That a quorum of the Utah Association of Counties Insurance Mutual Board of Trustees was present and at least two-thirds of the members present, voted to close the meeting pursuant to the provisions of Section 52-4-4, Utah Code Annotated, 1953, as amended, for the purpose of discussing the character, professional competence, or physical or mental health of an individual.

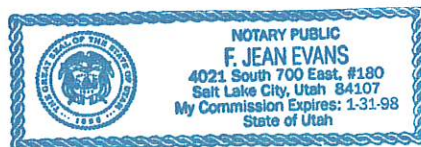
4. That the affiant was present throughout the meeting and, pursuant to the provisions of Section 52-4-7.5, the affiant does hereby affirm that the sole purpose for closing the meeting was to discuss the character, professional competence, or physical or mental health of an individual or individuals.

FURTHER, Affiant saith not.

DATED this \_\_\_\_ day of \_\_\_\_\_, 1996<sup>97</sup>.

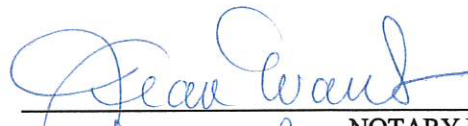
  
GARY R. HERBERT, President  
Utah Association of Counties Insurance Mutual

On the 13th day of February, 1996<sup>97</sup>, personally appeared before me Gary R. Herbert, who, after being by me duly sworn, deposed and said that the information contained in the above and foregoing Affidavit is true and correct.



Residing at:

My Commission Expires:

  
NOTARY PUBLIC  
Salt Lake City  
2/13/97



RECEIVED FEB 1 1997

January 28, 1997

Mr. Gary Herbert, Chairman  
Board of Directors  
Utah Association of Counties Mutual Insurance  
4021 South 700 East  
Salt Lake City, UT 84107

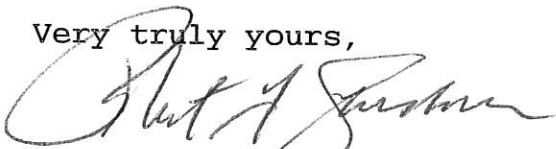
Dear Gary:

I cannot express how pleasantly surprised I was to receive the card and the very special gift. It was much better than a gold watch.

Without reservations, I can say that the association with the good people who comprise the staff and the board of UACMI is what I miss most of all. It was my good pleasure. I would also express appreciation for the card signed by each of you.

You are all to be commended for your good effort on behalf of UACMI and for that public service. Much success.

Very truly yours,

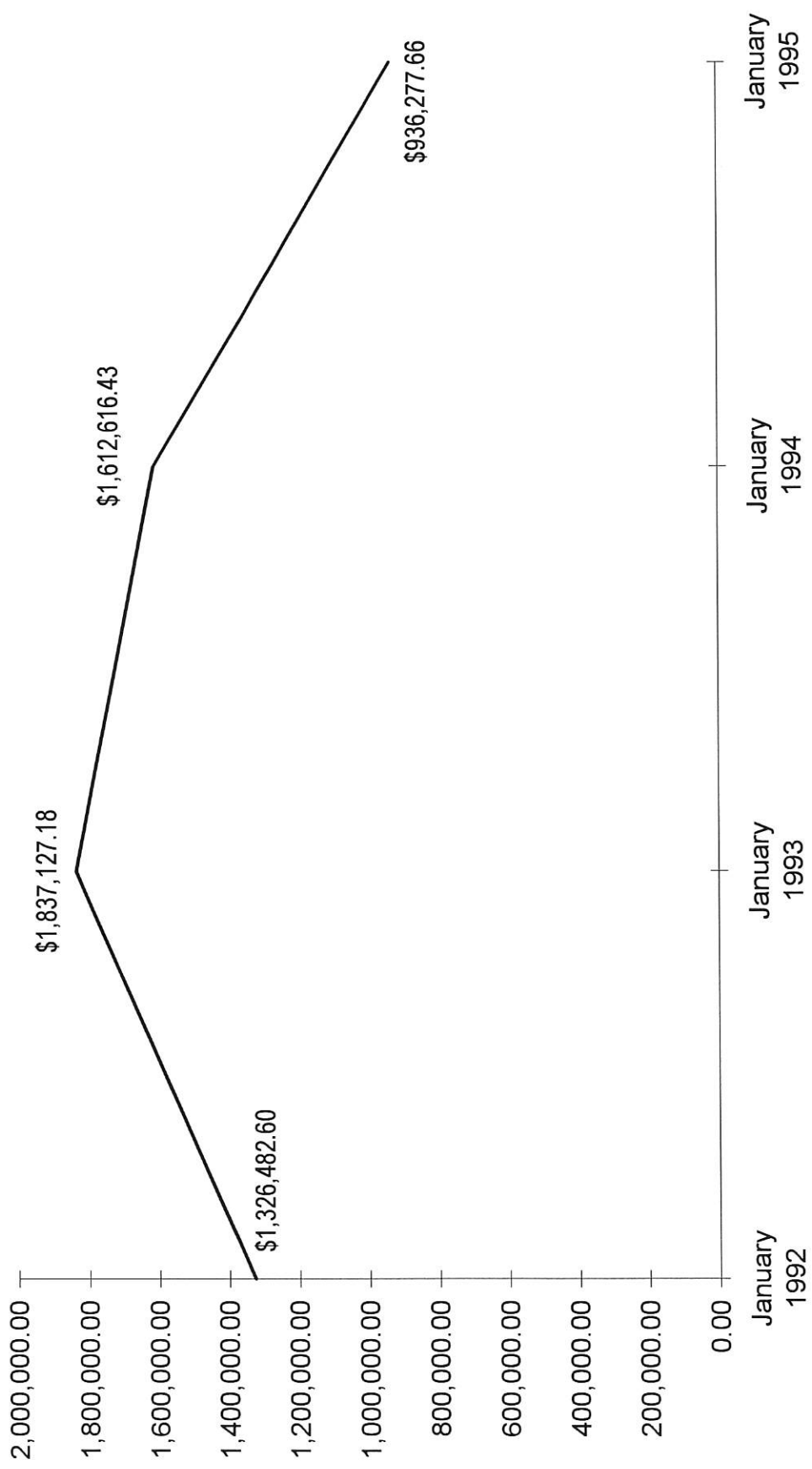


Robert L. Gardner



UAC Insurance Mutual

Total Incurred Comparison at 25 Months







# UAC Insurance Mutual

## Total Incurred Comparison at 11 Months

